

**RESOLUTION NO. 09-59**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA OVERRIDING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 09-10 THAT DENIED ADJUSTMENTS ON PROPERTY LOCATED AT **762 EAST 28 STREET, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Planning and Zoning Board, at its regular meeting of April 22, 2009 entered a final decision, Decision No. 09-10, subject to review by the Hialeah City Council; and

**WHEREAS**, on May 12, 2009, the Hialeah City Council overrode the Final Decision of the Planning and Zoning Board and approved the adjustments requested.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby override Final Decision 09-10 denying an adjustment of 3 feet, as to the east side setback, where 6 feet are required, for a proposed utility room, denying an adjustment of 6 feet, as to the rear setback, where 7.5 feet are required and an adjustment of 3 feet, as to the west side setback, where 10 feet are required, both adjustments to accommodate an above-ground pool; and accordingly such adjustments are hereby approved. The property located at 762 East 28<sup>th</sup> Street, Hialeah, Florida, zoned R-1 (One Family District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if

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the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 12th day of May, 2009.



Carlos Hernandez  
Council President

Attest:

Approved on this 26 day of MAY, 2009.

MAYOR'S SIGNATURE WITHHELD

Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
William M. Grodnick, City Attorney